



Customer No. 35744

Docket No. 116142/85

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Pilon, Aprile, et al.

Serial No.: 10/647,371

Art Unit: 1646

Official Filing Date: August 25, 2003


For: ***METHODS AND COMPOSITIONS FOR THE TREATMENT OF
FIBROTIC CONDITIONS AND IMPAIRED LUNG FUNCTION AND
TO ENHANCE LYMPHOCYTE PRODUCTION***

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 22313-1450 on:

Date: April 19, 2004

Signature: 

Henry Citton

INFORMATION DISCLOSURE STATEMENT

Applicant respectfully submits this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.98 in order to comply with the duty of disclosure under 37 C.F.R. § 1.56.

I. List of Patents, Publications, or Other Information

References are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

II. Copies

A copy of the listed references is enclosed for the convenience of the Examiner.

Any patents, publications or other information which are listed on the attached modified PTO Form No. 1449 but which are not enclosed herewith were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. 120:

<u>U.S. Serial Number</u>	<u>U.S. Filing Date</u>
09/549,926	04/14/2000
09/120,264	07/21/1998
09/087,210	05/28/1998
08/864,357	05/28/1997

Should the examiner desire, a copy of any of these previously cited unenclosed references can be made available for his convenience.

III. Concise Explanation of the Relevance

A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows: WO96/09831, in German, discloses the use of lung surfactant for the treatment of diseases like adult ARDS.

IV. Cross Reference to Related Applications

The Examiner is advised that the following applications belonging to the applicant contain subject matter that may be related to the present application. By bringing these applications to the Examiner's attention, Applicants do not waive the confidentiality provisions of 35 U.S.C. §122.

<u>Serial No.</u>	<u>Filing Date</u>
08/864,357	05/28/1997

09/087,210	05/28/1998
09/120,264	07/21/1998
09/549,926	04/14/2000
09/835,784	04/13/2001
09/861,688	05/21/2001
09/898,616	07/02/2001
10/045,534	10/24/2001
10/187,498	07/02/2002
10/638,448	08/11/2003

PCT/US98/11026	05/28/1998
PCT/US99/16312	07/19/1999
PCT/US01/12126	04/13/2001
PCT/US02/20836	07/02/2002

FEES

This IDS is being filed under 37 C.F.R. §1.97(b)(3) before the mailing of the first action on the merits. No fee or certification is required. However, the Director is hereby authorized to charge any fees associated with this information disclosure statement to Deposit Account No. 50-0540.

Respectfully submitted,

Dated: April 19, 2004



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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

2

of

5

Complete if Known

Application Number	08/864,357
Filing Date	May 28, 1997
First Named Inventor	Pilon, et al.
Group Art Unit	1646
Examiner Name	Romeo, D
Attorney Docket Number	116142-00085

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	ABMAN et al., "Pathophysiology and Treatment of Bronchopulmonary Dysplasia: Current Issues." Pediatric Clinics of North America, Vol. 41 No. 2, pp. 277-315 (1994).	
	CB	AKIYAMA et al., "Fibronectin and Integrins in Invasion..." Cancer and Metastasis Reviews. Vol. 14, pp. 173-189 (1995).	
	CC	ANDERSSON et al., "Heterologous Expression of Human Uteroglobulin/Polychlorinated Biphenyl-binding Protein." J. Biol. Chem., Vol. 269 pp.19081-19087 (1994).	
	CD	AOKI et al., "Isolation of Human Uteroglobulin from Blood Filtrate." Mol. Hum. Reprod., Vol. 2, pp. 489-497 (1996).	
	CE	ASSMANN et al., "Familial Glomerulonephritis Characterized by Massive..." Am. J. Kid. Dis., Vol 25, pp. 781-791 (1995).	
	CF	BARNES et al., "Structural Basis for Calcium..." JMB, Vol. 256, pp. 392-404 (1996).	
	CG	BARTON et al., "Amino Acid Sequence Analysis of the ..." Eur. J. Biochem., Vol. 198, pp.749-760 (1991).	
	CH	BEIER, H.M., "Uteroglobulin: A Hormone-dependent Endometrial Protein Involved in blastocyst Development," Biochem. Biophys. Acta, Vol. 160, pp. 289-291 (1968).	
	CI	BERENBAUM, F., "Phospholipase A2 inhibitors: a challenge for the future." Ref. Rhum. Engl. Ed., Vol. 62. pp 409-14 (1995).	
	CJ	BERNARD, et al., "Serum Clara Cell Protein: An Indicator..." Env. Res., Vol. 66, pp. 96-104 (1994).	
	CK	BERNARD et al., "Clara Cell Protein in Serum and Bronchoalveolar Lavage," Eur. Respir. J. Vol. 5, pp. 1231-1238 (1992a).	

Examiner
Signature

Date
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	08/864,357		
		Filing Date	May 28, 1997		
		First Named Inventor	Pilon, et al.		
		Group Art Unit	1646		
		Examiner Name	Romeo, D		
Sheet	3	of	5	Attorney Docket Number	116142-00085

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CL	BERNARD et al., "Human Urinary Protein 1: Evidence for Identity with the Clara Cell Protein and Occurrence in Respiratory Tract and Urogenital Secretions," Clin. Chim. Act., Vol. 207, pp. 239-249 (1992b).	
	CM	BERNARD et al., "Selective Increase in the Urinary Excretion of Protein 1 (Clara Cell protein) and other low molecular weight proteins during normal pregnancy," Scand. J. Clin. Lab. Invest. Vol. 52, pp. 871-878 (1992c).	
	CN	BERNARD et al., "Protein 1 is a Secretory Protein for the Respiratory and Urogenital Tracts Identical to the Clara Cell Protein," Clin. Chem. Vol. 39, pp. 434-435 (1992d).	
	CO	BERNARD et al., "Determination by Latex Immunoassay of Protein 1 in Normal and Pathological Urine," Clin. Chem. Acta., Vol 201, pp. 231-246 (1991).	
	CP	BERNARD et al., "Urine Protein 1: a Sex-Dependent Marker of Tubular or Glomerular Dysfunction," Clin. Chem. Vol. 35, pp. 2141-2142 (1989).	
	CQ	BITTERMAN et al., "Role of Fibronectin as a ...," J. Cell. Biol. Vol. 97 pp. 1925-1932 (1983).	
	CR	CAMUSSI et al., "Anti-inflammatory peptides (antiflammins) inhibit synthesis of platelet-activating factor, neutrophil aggregation, and chemotaxis, and intradermal inflammatory reactions," J. Exp. Med., Vol. 171, pp. 913-927 (1995a).	
	CS	CAMUSSI et al., "Antiflammins Inhibit Synthesis of Platelet-Activating....," Biochem. Mol. Biol. and Physiol. of Phospholipase A2 and its Regulatory Factors, pp. 161-172 (1990).	
	CT	CHAN et al., "Antiflammins: Inhibit of Endotoxin-induced Uveitis in Lewis Rats," In Ocular Immunology Today (Usui, Ohno, and Aoki. Eds.). Elsevier Science Publishers, Amsterdam, pp. 467-470 (1990).	
	CU	CHAN et al., "Effects of Antiflammins on Endotoxin-Induced Uveitis in Rats," Arch. Ophthalmol., Vol. 109, pp. 278-281 (1991).	
	CV	CHIESA M et al. "Significant Increase in Immunoregulatory Protein Blastokinin/Uteroglobin in IgA/Fibronectin Complexes in Sera of Patients with IgA Nephropathy" Nephrology Dialysis Transplantation, Vol. 15, Mo. 9 p. A39 (2000).	
	CW	DENNIS et al., "Multiple forms of phospholipase A2 in macrophages capable of arachidonic acid release for cicosanoid biosynthesis," Adv. Prostaglandin Thromboxane Leukot Res., Vol. 23, pp. 75-80 (1995a).	

Examiner Signature		Date Considered	
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	CX	DENNIS E.A., "Potential phospholipase A2s involved in inflammatory diseases," Agents Actions Suppl., Vol. 46, pp 35-39 (1995b).		
	CY	DHANIREDDY et al., "Ontogeny of Uteroglobin in Relation to...", "Pd. Res., 299A."		
	CZ	DIERYNCK et al., "The human Clara cell protein: biochemical and biological...", Mult. Schler., Vol. 1, No. 6, pp. 385-387 (1996).		
	DA	EDELSON et al., "Acute Lung Injury Induced by Phospholipase A ₂ : Structural and Functional Changes," Am Rev. Respir. Dis., Vol. 143, pp 1102-1109 (1991).		
	DB	GUY et al., "Surfactant-producing Rabbit Pulmonary Alveolar Type II Cells...", BBRC, Vol. 189, pp. 662-669 (1992).		
	DC	KIKUKAWA, et al., "Partial Characterization of a Uteroglobin-Like Protein in the Human Uterus and Its Temporal Relationship to Prostaglandin Levels in This Organ," J. Clin. Endo & Met. 67(2): 315-321.		
	DD	LEYTON et al. "Recombinant Human Uteroglobin Inhibits the In Vitro Invasiveness...", "Cancer Res., Vol. 54 pp 3696-3699 (1994).		
	DE	MATTHEWS et al., "Crystallization and Characterization of the Recombinant Human Clara Cell 10-kDa Protein", PROTEINS: Structure, Function and Genetics, 20: 191-196 (1994).		
	DF	MUKHERJEE et al., "Modulation of Cellular Response to Antigens by Uteroglobin and Transglutaminase" Adv. Exp. Med. Biol., 231:135-152 (1988).		
	DG	MUKERJEE et al., "Regulation of Extracellular Phospholipase A2 Activity: Implication for Inflammatory Diseases" DNA and Cell Biology, Vol. 11, No. 3 pp. 233-243 (1992-04).		
	DH	MUKERJEE A B et al. "Could the Gene Coding for Human Uteroglobin (Clara Cell 10kDa Protein) be a candidate gene for Atopy?" American Journal of Human Genetics Vol. 55 No. 3 pA197 (1994).		
	DI	PERI et al., "Expression of Clara Cell 10-kD Gene in the Human Endometrium and Its Relationship to Ovarian Menstrual Cycle," DNA and Cell Biology, 13(5):495-503 (1994).		
	DJ	PERI A et al., "Uteroglobin Gene Expression in the Rabbit Uterus throughout gestation and in Fetal Lung: Relationship between Uteroglobin and Eicosanoid Levels in the Developing Fetal Lung." Journal of Clinical Investigation, Vol. 96, No. 1 pp 343-353 (1995).		
	DK	RENNARD et al., "Production of Fibronectin by the Human Alveolar Macrophage: Mechanism for the Recruitment of Fibroblasts to Sites of Tissue Injury in Interstitial Lung Diseases" Proc. Natl. Acad. Sci. USA, 78(11): 7147-7151 (1988).		
	DL	VADAS et al, "Potential therapeutic efficacy of inhibitors of...", Agents Actions, Vol. 19, pp. 194-202 (1986)."		

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Sheet	5	of	5	Attorney Docket Number	116142-00085

	DM	VAN VYVE et al., "Protein content in bronchoalveolar lavage fluid of patients with asthma and control subjects", J. of Allergy and Clin. Immun., vol. 95 no. 1 pp. 60-68 (1995)	
	DN	WATTS et al., "Effect of Dexamethasone Therapy on Fibronectin and Albumin Levels in Lung Secretions of Infants with Bronchopulmonary Dysplasia" J. Pediat. 121:597-607 (1992).	
	DO	ZHANG ZH et al., "Severe Fibronectin-Deposit Renal Glomerular Disease in Mice Lacking Uteroglobin." Science, Vol. 276, No. 5317 pp 1408-1412 (1997).	
	DP	ZHANG ZH et al., "Human uteroglobin gene: Structure, subchromosomal localization and polymorphism", DNA and Cell Biology, vol. 16, no. 1 pp. 73-83 (1997).	

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